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H – 1022

International Court of Justice

H1022 – 0001

H1022-0002

OFFICIAL TRANSCRIPT OF EXAMINATION OF AFFIDAVITS ON BEHALF OF ACCUSED ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO ORDER OF THE TRIBUNAL DATED 5 July 1946.

10 July 1946

COMMISSIONER:

Colonel A. M. S. Neave

THE S. S.

(THE COMMISSION CONVENED AT 1015 HOURS.)

COMMISSIONER NEAVE: We are ready for affidavits for the SS. Dr. Pelckmann, you are going to summarize these affidavits according to points of your defense, aren't you? How many have you got to deal with today?

DR. PELCKMANN: I have about twenty to twenty-five.

COMMISSIONER NEAVE: Have you received back the ones that you lent to me?

DR. PELCKMANN: No.

COMMISSIONER NEAVE: Well, I will find out what has happened to those. They should have arrived.

DR. PELCKMANN: I have here a list of various points according to which I want to separate my affidavits. However, I cannot start at the top and go through to the bottom but I will try to take a certain number of affidavits as soon as I have them finished and just take a certain group every time.

COMMISSIONER NEAVE: Are the affidavits numbered?

DR. PELCKMANN: Not yet. I can give them numbers in the order in which they are presented.

H1022 - 0003

COMMISSIONER NEAVE: The Commission had better give them numbers if they accept them. I think that will be the best thing. Go on.

(Dr. Pelckmann hands Commissioner Neave and Mr. Monneray lists.)

COMMISSIONER NEAVE: Can you let me see the complete copies? I think Mr. Monneray reads German also. If you could give us the complete copies it would help.

BY DR. PELCKMANN:

The first point I am giving is Document IV (4), concerning the treatment against international laws of civil population in occupied territories. From this affidavit I read the following, and I have marked the ~~xxxxx~~ points in the original:

(Dr. Pelckmann reads from the affidavit of Walter Kalweit.)

MR. MONNERAY: I think this affidavit dealing with broken windows seems to be of small importance. It does not appear to give any information about the organization itself.

COMMISSIONER NEAVE: Before it is translated I want to give my comments on the affidavit also. The affidavit is supposed to describe the handling of the civilian population in occupied territories, isn't it?

DR. PELCKMANN: No, it is supposed to show the activities of the troops according to International Law in those occupied territories.

COMMISSIONER NEAVE: Well it seems to me the passage you read seems to be rather long and detailed in respect to the particular incident. Couldn't you choose a passage which is rather more general in respect to the conduct of the army in occupied territories? I don't think we need to read the whole of this passage into the record.

DR. PELCKMANN: I don't want to give a theoretical example of the actions and activities but I rather want to give a typical example, which

H1022 - 0004

in this case is a rather laughable experience concerning a broken window but which gives the attitude of the unit and the higher officers.

COLONEL NEAVE: Well I should have thought that it would be very much better, instead of reading out a long passage like this, to summarize the affidavit as a whole, stating the points which you think that it proves. If we have the whole of what you read translated and put into the record it will be a rather long passage, mainly concerning an individual incident. It would be much better to summarize in one paragraph what happened and what this affidavit is taken to mean with respect to the treatment of the civilian population in occupied territories.

DR. PELCKMANN: Then I propose the following: Walter Kalweit, who made this statement, was under the suspicion of having entered a Ukranian home with a comrade without official authorization or without official reason. The suspicion was not correct. Now next I would like to quote word for word the next two paragraphs of this sworn statement.

COMMISSIONER NEAVE: Is that paragraph 3?

DR. PELCKMANN: Yes, starting with "After the case had been solved," because those words give the general attitude of the division commander and the unit.

COMMISSIONER NEAVE: Well perhaps the interpreter can now read out those two paragraphs in English. The easiest thing would be for the German reporter to mark down that the Commissioner agreed that only the last two paragraphs should be read into the record.

INTERPRETER: (Quoting from Affidavit of Walter Kalweit):

"After the case had been solved as such the Court Officer made up a questionnaire and asked me to hand it to the Adjutant of General Steiner, who was Haupt-

H1022 - 0005

sturmfuehrer von Schalburg. He stated when I brought my report, and I quote: 'It is xx good that your actions were clean, otherwise you could have figured on severe penalties. General Steiner has ordered me to report to him personally of the result of this investigation. I am glad that I do not have to report anything bad about his Wikinger.' In reply to my question as to what would happen about the broken window, he answered me, and I quote: 'We will pay the Ukranian for that. In addition I want to say to you and all your comrades, the Wikinger fights clean and chivalrous. Exactly the same position of chivalry and decency is to be shown towards the Ukranian civilian population. He who goes against this order will be reported personally to the division commander and has to count on a severe penalty. Whether it concerns a stolen jar of cucumbers or a broken window, that is completely irrelevant.'

COMMISSIONER NEAVE: We will call that SS Affidavit No. 1. Now, Dr. Pelckmann, in general it is better to read a summary of what the whole affidavit contains in order to show the points which you wish to make but you may, of course, read what passages you feel are relevant.

* * * * * * * * * * *

BY DR. PELCKMANN:

The next affidavit concerns itself with IV (5) of my list, the evacuation or the dispossessment of families. The affidavit of Heinz Brueckner proves that the Volksdeutsche Mittelstelle did not have anything to do with the evacuations from Lorraine.

MR. MONNERAY: Could I have a copy?

DR. PELCKMANN: I have only the one copy.

COMMISSIONER NEAVE: Would it be possible to make at least two copies in the future, for the Commissioner and the Prosecutor?

H1022-0006

DR. PELCKMANN: It was impossible to do that, due to the fact that we received all of this information very late.

BY DR. PECLKMANN:

" Brueckner was a referant, a chief of an office, and later on Chief of an Amt in the Volksdeutsche Mittelstelle between 1939 and 1945, in Berlin. The Decree and direction of the evacuation of the civil population from Lorraine was under direction of Gauleiter Buerkel. The VDMS was not informed by Gauleiter Buerkel of the measures that he was taking. It was only at the end of 1941 that ~~xx~~ the VDMS was informed of this, accidentally, through a conversation of a representative of the Reichs Women Leadership. The VDMS, according to ~~xx~~ Brueckner who made this affidavit, thereupon immediately ~~x~~ made a report to the Chief for Strengthening of German Nationality and complained about this entire matter. Himmler thereupon immediately requested that the evacuation cease. That was turned down since Buerkel stated that Himmler, as the Reichs Commissar for the Strengthening of German Nationality, did not have any jurisdiction over him and that he would take orders only from the Fuehrer directly. I want to prove with this affidavit that the Volksdeutsche Mittelstelle could not be blamed for the evacuation of civilian persons, especially in this one particular section, that is, Lorraine. "

COMMISSIONER NEAVE: Any objection by the Prosecution?

MR. MONNERAY: I would like to glance through the document which I have just now received..... No objection.

COMMISSIONER NEAVE: I have no objection either. That will be SS Affidavit No. 2.

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H1022-0007

BY DR. PELCKMANN:

The next point that I want to cover is that of IV (7) of my list.

COMMISSIONER NEAVE: May I just have a look at this document first?... Now I have read this through and I suggest that you should read a summary of the events that are recorded on pages 1, 2, and 3, down as far as the last part of page 3, where the witness gives his own summary. I don't think we need read out the whole of this story.

DR. PELCKMANN: I agree with you but I would like to quote one especially important part which starts with the following words, and I quote: "Most men stood" down as far as "these men were shot by commandos of the Leibstandarte."

COMMISSIONER NEAVE: Well you may read that passage and then read the summary made by the witness himself at the end.

BY DR. PELCKMANN:

"Most men stood in front of a side building in the courtyard in which a Special Court was meeting. This Special Court consisted of three men, according to the information of the men that were standing around: 1) a city or army corps commander of Berlin; 2) a Police President of Berlin; and 3) ~~kkx~~ a Higher SS Leader. The names of these three men were known to me at that time but I do not remember them now. I do not know who was in charge of this Special Court. At intervals of 10 to 30 minutes, SA leaders were brought before this Court. These SA leaders arrived individually in small cars at the barracks and were accompanied by four armed men of the Leibstandarte to the Special Court. Comrades told us that according to an order of the Fuehrer, all SA leaders, Sturmfuehrer and higher, were to be taken into protective custody and that every SA leader who opposed his arrest, even to a small extent, would come

H1022 - 0008

before such a Special Court. Within a period of about 1½ hours I saw three or four SA leaders. They went straight and in a strict position, however they stared ahead and their faces were drawn. After about 10 minutes the same SA leaders were brought out from the side building of the Court House after they had been sentenced by the Special Court and were brought behind the Gymnasium, which was at the end of the barracks yard. Here too these SA leaders went straight and true but some of them made a very nervous and some of them a broken impression. Behind the Gymnasium these men were shot by commandos of the Leibstandarte."

Paul Schmalfeld, who makes this affidavit, was a member of the Regular-SS between June 1933 and November 1935. He states quite generally that the SS was alerted on the 30th of June 1934 but otherwise did not go into action.

M. MONNERAY: I think perhaps that is not quite a correct translation. According to the affidavit, the SS was mobilized in a certain way in order to cooperate in the events of this day.

COMMISSIONER NEAVE: There is a reference to the SS Sturm 1/75 being "alerted" but what M. Monneray is suggesting is that they were alerted in order to assist in this incident. I don't think there is anywhere it says that. Where does it say that?

M. MONNERAY: On page 2, second paragraph. It says that the men of the SS Standarte 75 were sent to the Tempelhoferfield; that one member of the Special Court was a higher SS Leader and that the people were shot by the Leibstandarte, which is also a part of the SS.

DR. PELCKMANN: That is what I want to quote.

COMMISSIONER NEAVE: To be quite fair about page 2, it says that the members of the SS Standarte 75 returned from the Tempelhoferfield, several

H1022 - 0009

of them had bad feet, and that they gave up all their arms in the barracks. That is how I read it. But what is it you want, Mr. Monneray, do you want him to read something else?

M. MONNERAY: Well, it appears that they went to the Tempelhoferfield with a view of assuring the public order.

COMMISSIONER NEAVE: Where does it say that?

M. MONNERAY: It says that most of the SS Standarte 75 had proceeded to Tempelhoferfield.

COMMISSIONER NEAVE: Yes, but you used the word "cooperate." Let's be fair as to the meaning of this, which is a rather wide interpretation of the translation of "aufgeloester Ordnung" which I understand means close order. Interpreter, what is your translation of that?

INTERPRETER: The exact translation would be "dissolved order" or "dissolved law and order."

COMMISSIONER NEAVE: It does not mean close order?

DR. PELCKMANN: No, not close order.

COMMISSIONER NEAVE: Well, let's cut this short. We really want to know whether you want to read out any more.

DR. PELCKMANN: Yes, I just wanted to propose that myself.

BY DR. PELCKMANN:

"At the time of the 30th of June I was an SS Sturmmann in SS Sturm #1 of the SS Standarte 75 in Berlin, Karlshorst.

"On the 30th of June 1934 during the day I was outside of Berlin and returned around 8 o'clock to Karlshorst. There I found a Sturm Order of 0900 of that morning, according to which I had to go to the Barracks of the Leibstandarte Adolf Hitler in Berlin Lichtenfelde. I immediately put on my

H1022-0010

SS uniform and drove with the street car from Karlshorst to Lichtenfelde. It was only in the streetcar that I saw from the headlines of the evening newspapers which were being read by people riding in the streetcar that Roehm had attempted with his SA a putsch against Hitler and that the putsch attempt already had broken down.

"I arrived without any further incidents between 2100 and 2200 at the barrack and there in the barrack-yard found only about 100 to 150 SS men who had come, just as I, too late. Only few members of the Leibstandarte were seen. Most of the SS Standarte 75 already had marched in the course of the day to Tempelhoferfield. We were not used for any sort of duty in the barrack and stood around in the yard and discussed the day's happenings. The general information consisted only of the reports of the press and the radio."

COMMISSIONER NEAVE: Wait a minute, Dr. Pelckmann, do you need to read any more than that?

DR. PELCKMANN: I just wanted to see whether I had to read any more because of the objection by Mr. Monneray.

COMMISSIONER NEAVE: You might just read about the Standarte 75 at the Tempelhoferfield. Read up to "abgegeben."

BY DR. PELCKMANN:

"Shortly after midnight the comrades of the SS Standarte 75 returned from the Tempelhoferfield in a pretty dissolved order. Many persons with bad feet were among them. Most of them carried rifles, some of them also light machine guns. All weapons were thereupon handed over in the barracks."

M. MONNERAY: I suggest that, if possible, he also reads the next two phrases.

COMMISSIONER NEAVE: Yes, Dr. Pelckmann, he is quite right.

H1022-0011

DR. PELCKMANN: May I ask that in order to clarify that, that I read also from page 3?

COMMISSIONER NEAVE: What is the point of that?

DR. PELCKMANN: To show that nothing happened and especially that the Allgemeine-SS was not trained for this, or did not have any such military training.

COMMISSIONER NEAVE: Well that is said in the summary that he makes at the end, isn't it?

DR. PELCKMANN: Yes.

COMMISSIONER NEAVE: So I think you should just read the passages that Mr. Monneray suggests and then go on to the summary the witness makes himself.

BY DR. PELCKMANN:

"The men described that they marched double time from Lichtenfelde to the Tempelhoferfield and that they had received on the way rifles and light machine guns with shot and ammunition from an official State source. Whether this was a Reichswehr or Police source I don't remember today. They had participated in setting up road blocks at the Tempelhoferfield.

"Now summarizing I can say to the occurrences of the 30th of June 1934 from my own observation and information through my SS comrades, the following:

1), The Allgemeine-SS did not carry out any arrests or executions.

2), The Allgemeine-SS carried out no executive measures and was only used for guarding and road-block service. The actions which I observed were carried out solely by the members of the Leibstandarte.

3), I do not know of any kind of shootings or clashes in Berlin.

4), The Allgemeine SS did not have any weapons of its own. They were

H1022 - 0012

handed out by the State Office on the 30th of June 1934 and thereafter, that is on the same evening, they were handed in again in the barracks in Lichtenfelde. 5), Our Unit, which was 1/75 Karlshorst, did not have any kind of training with weapons or shooting.

"I never heard later on in the SS any other description of the occurrences of the 30th of June 1934 other than they were given to the German people. We, however, did not like the action against the SA, which we all constantly had considered as our comrades. However, we considered this hard blow as a correct measure in order to keep up law and order and in order to secure the State security."

M. MONNERAY: May I ask that still another passage be read, on page 3, starting with "On the 1st of July 1934." This paragraph seems to be important.

COMMISSIONER NEAVE: I have already read part of that myself. Why is it important?

M. MONNERAY: It seems to prove that the SS was used as a special troop for incidents within the Nazi Party and to be used also in order to fight. The SS had special sort of barracks where they could be located for that purpose, called "Sturmlokal."

DR. PELCKMANN: May I add that I agree with this request but for the opposite reason. The reason I want to do it is because first, it states in this part that the SS was called together after the end of business hours and that proves that if the SS was a formation it would not be called together only after business hours; and, secondly, because they were called together in the Sturmlokal, because the Sturmlokal does not mean barrack or billets but rather a restaurant.

11

H1022-0013

COMMISSIONER NEAVE: Well it doesn't seem to me to say anything more than that this SS Unit was alerted to its barracks for a week, which we know happened everywhere at that time, but I think, Dr. Pelckmann, you should read it since the Prosecution permits you to do so and as you seem to want to read it yourself.

BY DR. PELCKMANN:

"On the 1st of July 1934 in the afternoon, we once again were ordered to alert and the SS Sturm 1/75 was thrown together in a Sturmlokal in Karlshorst. This is the way we were for one week. Every day, after the end of business hours until the early morning hours, that is, in "alert" in the Sturmlokal. Some individual patrols of 2 men were sent through Karlhorst; as far as available each one of them carried his own pistol. There were no clashes with the SA which we had dreaded."

COMMISSIONER NEAVE: That will be SS Affidavit #3. In the future, the reading of such long passages as that will not be permitted. As has already been done with the affidavits of other organizations, a summary will be regarded as quite sufficient, unless the defense counsel applies for the whole affidavit to be translated, which will be done at the discretion of the Commissioner.

M. MONNERAY: Is it possible, at the request of the defense or the prosecution, to have also certain passages of a document translated?

COMMISSIONER NEAVE: Yes, but in practice it is really easier to translate the whole affidavit because we get a summary into the transcript.

(A recess was taken.)

12

H1022 - 0014

COLONEL NEAVE: Now,Dr. Pelckmann, before any more affidavits for the SS are presented, I want to draw your attention to the fact that you have taken about ~~two~~ one and one-half hours for the three affidavits. As a matter of fact,the last affidavit was a very important one, so no ~~harm~~ there was in getting it down into the transcript. On the other hand, there ~~was~~ is no point in continuing in this fashion, otherwise we will never finish. ~~Now~~ For the past two days we have done sixty-seven affidavits for the SA; we have done twenty-five for the Gestapo, and about twenty-six for the SD. ~~Now,~~ We were able to get through those in two days, and the procedure has already been laid down, that a summary only should be read,and if it was necessary to translate a document,that should be done at the discretion of the Commissioner. ~~Now~~ I think it would be much easier if you prepared a written summary of these affidavits, which could be read by the interpreter. How long do you think it would take you to do that, two days, something like that?

DR. PELCKMANN: About two or three days.

COLONEL NEAVE: Because I am preparing to adjourn this hearing for that purpose. I do not feel that we can possibly get along quickly enough unless we have fully prepared summaries read, on which the Commission and the prosecution can comment. That does not mean, of course, you can not read passages from the affidavits, but that should be where they are of especial importance in order to explain your summary, so I am inclined to suggest that you should ~~be able to~~ prepare these summaries during the course of the next two days. ~~Of course,~~ I am sure that things will go much faster,and the procedure has worked very successfuly during the past

H1022-0015

two or three days; but really there is no point in reading very long passages, and every whole affidavit, if particularly a good one to have in the record, ~~it~~ is much better ~~to have the affidavit~~ translated by the translation division. Will you agree to do that?

DR. PELCKMANN: I just want to state that I have such a summary, and I did read it before as a document, however, I did not present it in written form since that was not required at the time by the Commissioners. However, I would like to do it.

COLONEL NEAVE: Yes, I think it would be very much better ~~xxx-xxxxx~~ if you submitted the summaries in written form. It seems to take a great deal longer in this instance than with the other organizations, and I am afraid we won't get through.

DR. PELCKMANN: However, I would like to ask the prosecutor if I could suggest that in very important documents, if they should be read into the record immediately, so that it would take care of the situation, since it became very evident this morning that a discussion over certain paragraphs lead ultimately to reading the document every time, the entire document, and it would not take much longer than if it was read in the beginning.

COLONEL NEAVE: In the first place the entire document should never be read into the record. If it is particularly required to bring the entire document to the Tribunal, it will be translated and circulated to them. That might not apply to documents that are very short, but I don't know ~~that if one is not short~~ that it would be worth while, as it takes too long, and from the point of view of ~~consolidation~~ translation it is unsatisfactory, and it is also for the interpreter.

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Gallagher
10 July
Affidavits

H1022 - 0016

Well, Mr. Marreco, I propose to adjourn this hearing for that reason, as we shall go much faster if we follow the same procedure, but we can not ask Dr Pelckmann to follow the same procedure unless he prepares these summaries. We will take up "Political Leaders" tomorrow, because they are not ready as yet to continue today.

(The Commissions adjourned to 11 July 1946 at 1000 hours)

H1022 - 0017

The foregoing is a true and correct transcript of the s submission of Affidavits for the SS by Dr. Pelckmann, on 10 July 1946.

Mabel A. Lesser
Reporter (pp 1-12

Charles J. Gallagher
Reporter (pp 13-15

CERTIFIED TO :

Commissioner

H1022 - 0018

OFFICIAL TRANSCRIPT OF EXAMINATION OF AFFIDAVITS ON BEHALF OF ACCUSED ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO ORDER OF THE TRIBUNAL DATED 5 JULY 1946.

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Colonel A.M.S.Neave.

THE S.S.

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COLONEL NEAVE: Well, I will find out what has happened to those. They should have arrived.

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(Dr. Pelckmann hands Commissioner Neave and Mr. Monneray lists.)

COLONEL NEAVE: Can you let me see the complete copies? I think Mr. Monneray reads German also. If you could give us the complete copies it would help.

BY DR. PELCKMANN:

The first point I am giving is Document IV (4), concerning the treatment against international laws of civil population in occupied territories. From

H1022-0019

this affidavit I read the following, and I have marked the points in the original:

(Dr. Pelchmann reads from the affidavit of Walter Kalweit.)

MR. MONNERAY: I think this affidavit dealing with broken windows seems to be of small importance. It does not appear to give any information about the organization itself.

COLONEL NEAVE: Before it is translated I want to give my comments on the affidavit also. The affidavit is supposed to describe the handling of the civilian population in occupied territories, isn't it?

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DR. PELCKMANN: Then I propose the following: Walter Kalweit, who made this statement, was under the suspicion of having entered a Ukranian home with a comrade without official authorization or without official reason. The suspicion was not correct. Now next I would like to quote word for word the next two paragraphs of this sworn statement.

H1022 -0020

COLONEL NEAVE: Is that paragraph 3?

DR. PELCKMANN: Yes, starting with "After the case had been solved," because those words give the general attitude of the division commander and the unit.

COLONEL NEAVE: Well perhaps the interpreter can now read out those two paragraphs in English. The easiest thing wou ld be for the German reporter to mark down that the Commissioner agreed that only the last two paragraphs should be read into the record.

INTERPRETER (Quoting from Affidavit of Walter Kalweit):

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BY DR. PELCKMANN:

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H1022-0021

MR. MONNERAY: Could I have a copy?

DR. PELCKMANN: I have only the one copy.

COLONEL NEAVE: Would it be possible to make at least two copies in the future, for the Commissioner and the Prosecutor?

DR. PELCKMANN: It was impossible to do that, due to the fact that we received all of this information very late.

BY DR. PELCKMANN:

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COLONEL NEAVE: Any objection by the Prosecution?

MR. MONNERAY: I would like to glance through the document which I have just now received .... No objection.

COLONEL NEAVE: I have no objection either. That will be SS Affidavit No 2.

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H1022 - 0022

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COMMISSIONER NEAVE: May I just have a look at this document first?... Now I have read this through and I suggest that you should read a summary of the events that are recorded on pages 1, 2 and 3, down as far as the last part of page 3, where the witness gives his own summary. I don't think we need read out the whole of this story.

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COMMISSIONER NEAVE: Well, you may read that passage and then read the summary made by the witness himself at the end.

BY DR. PELCKMANN:

"Most men stood in front of a side building in a courtyard in which a Special Court was meeting. This Special Court consisted of three men, according to the information of the men that were standing aroudn: 1) a city or army corps commander of Berlin; 2) a Police President of Berlin; and 3) a Higher SS Leader. The names of these three men were known to me atthat time but I do not remember them now. I do not know who was in charge of this Special Court. At intervals of 10 to 30 minutes, SA leaders were brought before this Court. These SA leaders arrived individually in small cars at the barracks and were accompanied by four armed men of the Leibstandarte to the Special Court. Comrades told us that according to an order of the Fuehrer, all SA leaders, Sturmfuehrer and higher, were to be taken into protective custody and that every SA leader who opposed his arrest, even to a small extent, would come before such a Special Court. Within a period of about 1½ hours I saw three or four SA leaders. They went straight and in a strict position, however they stared ahead and their faces were drawn. After about 10 minutes the same SA leaders were brought out from the side building of the Court House after they had been sentenced by the Special Court and were brought behind the Gymnasium, which was at the end of the barracks yard. Here too these SA leaders went straight and true but some of them made a very nervous and some of them a broken impression. Behind the Gymnasium these men were shot by commandos of the Leibstandarte."

H1022 - 0023

Paul Schmalfeld, who makes this affidavit, was a member of the Regular-SS between June 1933 and November 1935. He states quite generally that the SS was alerted on the 30th of June 1934 but otherwise did not go into action.

M. MONNERAY: I think perhaps that is not quite a correct translation. According to the affidavit, the SS was mobilized in a certain way in order to cooperate in the events of this day.

COMMISSIONER NEAVE: There is areference to the SS Sturm 1/75 being "alerted" but what M. Monneray is suggesting is that they were alerted in order to assist in this incident. I don't think there is anywhere it says that. Where does it say that?

M. MONNERAY: On page 2, second paragraph. It says that the men of the SS Standarte 75 were sent to the Tempelhoferfield; that one member of the Special Court was a higher SS Leader and that the people were shot by the Leibstandarte, which is also a part of the SS.

DR. PELCKMANN: That is what I want to quote.

COMMISSIONER NEAVE: To be quite fair about page 2, it says that the members of the SS Standarte 75 returned from the Tempelhoferfield, several of them had bad feet, and that they gave up all their arms in the barracks. That is how I read it. But what is it you want, M. Monneray, do you want him to read something else?

M. MONNERAY: Well, it appears that they went to the Tempelhoferfield with a viewof assuring the public order.

COMMISSIONER NEAVE: Where does it say that?

M. MONNERAY: It says that most of the SS Standarte 75 had proceeded to Tempelhoferfield.

COMMISSIONER NEAVE: Yes, but you used the word "cooperate." Let's be fair as to the meaning of this, which is a rather wide interpretation of the translation of "aufgeloester Ordnung" which I understand means close order. Interpreter, what is your translation of that?

INTERPRETER: The exact translation would be "dissolved order" or "dissolved law and order."

COMMISSIONER NEAVE: It does not mean close order?

DR. PELCKMANN: No, not close order.

COMMISSIONER NEAVE:Well, let's cut this short. We really want to know

H1022 - 0024

whether you want to read out any more.

DR. PELCKMANN: Yes, I just wanted to propose that myself.

BY DR. PELCKMANN:

" At the time of the 30th of June I was an SS Sturmmann in SS Sturm #11 of the SS Standarte 75 in Berlin, Karlshorst.

"On the 30th of June 1934 during the day I was outside of Berlin and returned around 8 o'clock to Karlshorst. There I found a Sturm Order of 0900 of that morning, according to which I had to go to the Barracks of the Leibstandarte Adolf Hitler in Berlin Lichtenfelde. I immediately put on my SS uniform and drove with the street car from Karlshorst to Lichtenfelde. It was only in the streetcar that I saw from the headlines of the evening newspapers which were being read by people riding in the streetcar that Roehm had attempted with his SA aputsch against Hitler and that the putsch attempt already had broken down.

"I arrived without any further incidents between 2100 and 2200 at the barrack and there in the barrack-yard found only about 100 to 150 SS men who had come, just as I, too late. Only few members of the Leibstandarte were seen. Most of the SS Standarte 75 already had marched in the course of the day to Tempelhoferfield. We were not used for any sort of duty in the barrack and stood around in the yard and discussed the day's happenings. The general information consisted only of the reports f the press and the radio."

COMMISSIONER NEAVE: Wait a minute, Dr. Pelckmann, do you need to read any more than that?

DR. PELCKMANN: I just wanted to see whether I had to read any more because of the objection by Mr. Monneray.

COMMISSIONER NEAVE: You might just read about the Standarte 75 at the Tempelhoferfield. Read up to "abgegeben."

BY DR. PELCKMANN:

"Shortly after midnight the comrades of the SS Standarte 75 returned from the Tempelhoferfield in a pretty dissolved order. Many persons with bad feet were among them. Most of them carried rifles, some of them also light machine guns. Allweapons were thereupon handed over in the barracks."

M. MONNERAY: I suggest that, if possible, he also reads the next two phrases.

H1022 - 0025

COMMISSIONER NEAVE: Yes, Dr. Pelckmann, he is quite right.

DR. PELCKMANN: May I ask that in order to clarify that, that I read also from page 3?

COMMISSIONER NEAVE: What is the point of that?

DR. PELCKMANN: To show that nothing happened and especially that the Allgemeine-SS was not trained for this, or did not have any such military training.

COMMISSIONER NEAVE: Well, that is said in the summary that he makes at the end, isn't it?

DR. PELCKMANN: Yes.

COMMISSIONER NEAVE: So I think you should just read the passages that Mr. Monneray suggests and then go on to the summary the witness makes himself.

BY DR. PELCKMANN:

" The men described that they marched double time from Lichtenfelde to the Tempelhoferfield and that they had received on the way rifles and light machine guns with shot and ammunition from an official State source. Whether this was a Reichswehr or Police source I don't remember today. They had participated in setting up road blocks at the Tempelhoferfield.

"Now summarizing I can say to the occurrences of the 30th of June 1934 from my own observation and information through my SS comrades, the following:

1) The Allgemeine-SS did not carry out any arrests or executions.

2) The Allgemeine-SS carried out no executive measures and was only used for guarding and road-block service. The actions which I observed were carried out solely by the members of the Leibstandarte.

3) I do not know of any kind of shootings or clashes in Berlin.

4) The Allgemeine SS did not have any weapons of its own. They were handed out by the State Office on the 30th of June 1934 and thereafter, that is on the same evening, they were handed in again in the barracks in Lichtenfelde.

5) Our Unit, which was 1/75 Karlshorst, did not have any kind of training with weapons or shooting.

"I never heard later on in the SS any other description of the occurrences of the 30th of June 1934 other than they were given to the German people. We, however, did not like the action against the SA, which we all constantly had considered as our comrades. However, we considered this hard blow as a correct

measure in order to keep up law and order and in order to secure the State security."

M. MONNERAY: May I ask that still another passage be read, on page 3, starting with "On the 1st of July 1934." This paragraph seems to be important.

COMMISSIONER NEAVE: I have already read part of that myself. Why is it important?

M. MONNERAY: It seems to prove that the SS was used as a special troop for incidents within the Nazi Party and to be used also in order to fight. The SS had special sort of barracks where they could be located for that purpose, called "Sturmlokal."

DR. FEICKMANN: May I add that I agree with this request but for the opposite reason. The reason I want to do it is because first, it states in this part that the SS was called together after the end of business hours and that proves if the SS was a formation it would not be called together only after business hours; and, secondly, because they were called together in the Sturmlokal, because the Sturmlokal does not mean barrack or billets but rather a restaurant.

H1022 - 0026

H1022 - 0027

COMMISSIONER MEAVE: Well it doesn't seem to me to say anything more than that this SS Unit was alerted to its barracks for a week, which we know happened everywhere at that time, but I think, Dr. Pelckmann, you should read it since the Prosecution permits you to do so and as you seem to want to read it yourself.

BY DR. PELCKMANN:

"On the 1st of July 1934 in the afternoon, we once again were ordered to alert and the SS Sturm 1/75 was thrown together in a Sturmlokal in Karlshorst. This is the way we were for one week. Every day, after the end of business hours until the early morning hours, that is, in "alert" in the Sturmlokal. Some individual patrols of 2 men were sent through Karlhorst; as far as available each one of them carried his own pistol. There were no clashes with the SA which we had dreaded."

COMMISSIONER MEAVE: That will be SS Affidavit No. 3. In the future, the reading of such long passages as that will not be permitted. As has already been done with the affidavits of other organizations, a summary will be regarded as quite sufficient, unless the defense counsel applies for the whole affidavit to be translated, which will be done at the discretion of the Commissioner.

M. HONERAY: Is it possible, at the request of the defense or the prosecution, to have also certain passages of a document translated?

COMMISSIONER MEAVE: Yes, but in practice it is really easier to translate the whole affidavit because we get a summary into the transcript.

(A recess was taken.)

COLONEL MEAVE: Now, Dr. Pelckmann, before any more affidavits for the SS are presented, I want to draw your attention to the fact that you have taken about one and one-half hours for the three affidavits. As a matter of fact, the last affidavit was a very important one, so there was no harm in getting it down into the transcript. On the other hand, there is no point in continuing in this fashion, otherwise we will never finish. For the past two

H1022 - 0028

days we have done sixty-seven affidavits for the SA; we have done twenty-five for the Gestapo, and about twenty-six for the SD. We were able to get through those in two days, and the procedure has already been laid down, that a summary only should be read, and if it was necessary to translate a document, that should be done at the discretion of the Commissioner. I think it would be much easier if you prepared a written summary of those affidavits, which could be read by the interpreter. How long do you think it would take you to do that, two days, something like that?

DR. PELCKMANN: About two or three days.

COLONEL MEAVE: Because I am prepared to adjourn this hearing for that purpose. I do not feel that we can possibly get along quickly enough unless we have fully prepared summaries read, on which the Commission and the prosecution can comment. That does not mean, of course, you can not read passages from the affidavits, but that should be where they are of especial importance in order to explain your summary, so I am inclined to suggest that you should prepare those summaries during the course of the next two days. I am sure that things will go much faster, and the procedure has worked very successfully during the past two or three days; but really there is no point in reading very long passages, and every whole affidavit, if particularly a good one to have in the record, is much better translated by the translation division. Will you agree to do that?

DR. PELCKMANN: I just want to state that I have such a summary, and I did read it before as a document, however, I did not present it in written form since that was not required at the time by the Commissioners. However, I would like to do it.

COLONEL MEAVE: Yes, I think it would be very much better if you submitted the summaries in written form. It seems to take a great deal longer in this instance than with the other organizations, and I am afraid we won't get through.

DR. PELCKMANN: However, I would like to ask the prosecutor if I could suggest that in very important documents, if they should be read into the record immediately, so that it would take care of the

H1022 - 0029

situation, since it became very evident this morning that a discussion over certain paragraphs lead ultimately to reading the document every time, the entire document, and it would not take much longer than if it was read in the beginning.

COLONEL MEAVE: In the first place the entire document should never be read into the record. If it is particularly required to bring the entire document to the Tribunal, it will be translated and circulated to them. That might not apply to documents that are very short, but I don't know that it would be worth while, as it takes too long, and from the point of view of translation it is unsatisfactory, and it is also for the interpreter.

Well, Mr. Marroco, I propose to adjourn this hearing for that reason, as we shall go much faster if we follow the same procedure, but we can not ask Dr. Pelckmann to follow the same procedure unless he prepares these summaries. We will take "Political Leaders" tomorrow, because they are not ready as yet to continue today.

(The Commissions adjourned to 11 July 1946 at 1000 hours)

The foregoing is a true and correct transcript of the submission of affidavits for the SS by Dr. Pelckmann, on 10 July 1946.

Mabel A. Lesser
Reporter

Charles J. Gallagher
Reporter

CERTIFIED TO:

A.H.S. Meave Lt. Col.
Commissioner